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|--|-------------------------------------|--------------------------------------|--------------------------------|---------------------------------------|---------------------------------|
| AMENDMENT TRANSMITTAL LETTER (Small Entity) Applicant(s): Robie et al. | | | | Docket No. Implex-18/ZM0718 | |
| Application No. 10/015,365 | Filing Date 12/13/2001 | Examiner Candice C. Melson | Customer No. 28581 | Group Art Unit 3732 | Confirmation No. 2786 |
| Invention: INSTRUMENT AND SYSTEM FOR PREPARING THE DISC SPACE BETWEEN TWO VERTEBRAL BODIES | | | | | |
| <u>COMMISSIONER FOR PATENTS:</u> | | | | | |
| <p>Transmitted herewith is an amendment in the above-identified application.</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>The fee has been calculated and is transmitted as shown below.</p> | | | | | |
| CLAIMS AS AMENDED | | | | | |
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST # PREV. PAID FOR | NUMBER EXTRA CLAIMS PRESENT | RATE | ADDITIONAL FEE |
| TOTAL CLAIMS | 35 - | 40 = | 0 | x \$25.00 | \$0.00 |
| INDEP. CLAIMS | 6 - | 6 = | 0 | x \$100.00 | \$0.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | \$0.00 |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | \$0.00 |
| <p><input checked="" type="checkbox"/> No additional fee is required for amendment.</p> <p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____</p> <p><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-2061</p> <p><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.</p> <p><input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> | | | | | |
|  <i>Paul A. Schwarz</i> Signature | | | | | |
| Dated: 4/29/2005 | | | | | |
| <div style="border: 1px solid black; padding: 5px;"> I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date) </div> | | | | | |
| <div style="border: 1px solid black; padding: 5px;"> <i>Signature of Person Mailing Correspondence</i> </div> | | | | | |
| <div style="border: 1px solid black; padding: 5px;"> <i>Typed or Printed Name of Person Mailing Correspondence</i> </div> | | | | | |

Attorney Docket No. Implex-18/ZM0718

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED
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APR 29 2005**

In Re Patent Application of: : Group Art Unit: 3732
Robie, et al. :

Serial No.: 10/015,365 : Examiner: **Melson, Candice C.**

Filing Date: December 13, 2001 : Atty Dkt.: **Implex-18/ZM0718**

For: **Instrument and System for
Preparing the Disc Space
Between Two Vertebral Bodies** : Date: April 29, 2005

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Commissioner for Patents
P.O. Box 1450
Alexandria, Va. 22313-1450

AMENDMENT AND RESPONSE AFTER FINAL REJECTION

Dear Sir:

This paper is responsive to the Office Action dated December 29, 2004. A petition and fee for a one month extension of time to extend the response date to April 29, 2005 is included herewith. Kindly enter the following amendments:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 11 of this paper.

PTMN121189.1